

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
07-CV-2283 (JMR/RLE)

Robert Breeze)
)
 v.) ORDER
)
 Michael J. Astrue,)
 Commissioner of Social)
 Security)

Plaintiff objects to the Report and Recommendation, issued August 11, 2008 [Docket No. 16], by the Honorable Raymond L. Erickson, United States Chief Magistrate Judge. The Report recommended that the Commissioner's motion for summary judgment be granted, and plaintiff's motion for summary judgment be denied. Plaintiff's objections were timely filed pursuant to Local Rule 72.2.

Based upon a de novo review of the record herein, the Court adopts the Magistrate's Report and Recommendation.

Accordingly, IT IS ORDERED that:

1. The Commissioner's motion for summary judgment [Docket No. 12] is granted.
2. Plaintiff's motion for summary judgment [Docket No. 9] is denied.

Dated: September 8, 2008

s/ JAMES M. ROSENBAUM
JAMES M. ROSENBAUM
United States District Judge